



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,057	12/20/2000	Grant A. Krafft	97-002-L	8012

7590

11/15/2004

Mark L. Chael, Ph.D.
McDonnell Boehnen Hulbert & Berghoff
32 Floor
300 South Wacker Drive
Chicago, IL 60606

EXAMINER

AUDET, MAURY A

ART UNIT	PAPER NUMBER
----------	--------------

1654

DATE MAILED: 11/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE

U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

09/745,057

12/20/2000

KRAFT

97-002-L

EXAMINER

AUDET

ART UNIT

PAPER

11132004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Amended claims 5-6 and newly submitted dependent claims 13-19 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The amendments to the claims have changed the subject matter of the invention from a method for protecting brain cells to an in vivo assay (i.e adding inhibitors to determine which inhibitor(s) will block an amyloid protein).

The amendment filed on 08/25/2004 canceling all claims drawn to the elected/originally presented invention and presenting only claims drawn to a non-elected/non-originally presented invention (discussed above) is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction (i.e. amend the claims to original subject matter) in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maury Audet whose telephone number is 571-272-0960. The examiner can normally be reached from 7:00 AM – 5:30 PM, off Fridays. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell can be reached at 571-272-0974. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

MA
11/13/04

CHRISTOPHER R. TATE
PRIMARY EXAMINER